

## Chapter 29.13. Commercial Districts.<sup>1</sup>

### Sections:

29.13.010. Purpose.

29.13.020. Codes and Symbols.

29.13.030. Area, Width, Frontage, Yard and Coverage Regulations.

29.13.040. Height Regulations.

29.13.060. Landscaping.

29.13.070. Special Provisions.

29.13.080. Uses Not Listed.

### 29.13.010. Purpose.

~~A. Central Business District (CBD) Zone: The purpose of this zone is to establish a district for retail, entertainment, service, and heritage related businesses and activities that are intended to cultivate a high level of pedestrian activity, and encourage both daytime and nighttime consumer activity. This zone is also intended to protect the unique nature of the Brigham City downtown area. Regulations of this zone are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, with an emphasis on retail, service, entertainment, and heritage enterprises. A high degree of quality is required in project design. Compatibility of new construction with existing architecture will be expected meeting the requirements of the RDA #1 standards where applicable.<sup>2</sup>~~

~~BA. General Commercial (GC) Zone: The purpose of this zone is to establish a district for a combination of commercial, office, entertainment, retail, and service businesses and activities. The zone is designed to allow a range of businesses with access from major streets, including some that may not be appropriate for a downtown business area. This zone is distinguished from the Central Business District by the accommodation of uses that may generate a lower level of pedestrian activity. A high level of quality is required in project design.<sup>1</sup>~~

~~B. Central Business District (CDB) Zone: The purpose of this zone is to establish a district for retail, entertainment, service and heritage related businesses and activities that are intended to cultivate a high level of pedestrian activity, and encourage both daytime and nighttime consumer activity. This zone is also intended to protect the unique nature of the Brigham City downtown area. Regulations of this zone are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, with an emphasis on retail, service, entertainment and heritage enterprises. A high degree of quality is required in project design. Compatibility of new construction with existing architecture is required.~~

### 29.13.020. Codes and Symbols.

In the following Section of this Chapter, uses of land or buildings which are allowed in the various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as "conditional uses," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by an "N". ~~dash, "-."~~ If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet, or by the letter "A." ~~If the regulation does not apply, it is indicated in the appropriate column by a dash, "-."~~ No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial and industrial districts except as provided in this ordinance.

	GC	CBD
<del>1. Agriculture:</del> <del>The tilling of the soil, the raising of crops, horticulture and gardening</del>		
<b>1. ACCESSORY USES/BUILDINGS AND TEMPORARY BUILDINGS:</b>		
Accessory Uses and Buildings customarily incidental to the permitted uses	P	P

<sup>1</sup> Chapter significantly revised with Ordinance No. 09-03, dated 1/19/09

<sup>2</sup> Ordinance No. 98-05, 1/15/98

	GC	CBD
Accessory Uses and Buildings <i>customarily incidental to the conditional uses</i>	C	C
Temporary buildings <i>for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work</i>	C	C
<b>2. AUTOMOBILE SALES AND SERVICES:</b>		
Automobile Fuel or Service Station	P	€ N
<del>Automobile or recreation vehicle sales, service, lease, rental and repair, new or used conducted indoors</del>	<del>P</del>	<del>€</del>
<del>Automobile or recreation vehicle sales, service, lease, rental and repair, new or used conducted outdoors</del>	<del>P</del>	<del>€</del>
Automobile Dealership, new or used <i>the parcel or lot shall be a minimum of one (1) acre in size with a minimum street frontage of one-hundred (100) feet. Incidental service and repair are to be conducted within an enclosed building.</i>	P	N
Automobile lube and oil center	P	N
Automobile parts, new or reconditioned <i>stored parts and business conducted within enclosed building</i>	P	P N
<del>Body and fender shop; motor vehicle, bicycle and recreation vehicle assembling, painting, upholstering and rebuilding</del>	<del>P</del>	<del>N</del>
Automobile Service and Repair <i>provided all work and storage is conducted within a completely enclosed building</i>	P	N
Car wash <sup>3</sup> ; automatic or manual <i>provided property not adjacent to residential dwelling property line</i>	C P	N €
Parking lot <i>incidental to a use conducted on the premises</i>	P	P
Parking lot <i>not incidental to a use conducted on the premises</i>	P	P
<b>3. DWELLINGS AND OTHER LIVING QUARTERS:</b>		
Assisted Living Facility <sup>4</sup>	P	N
Bed and Breakfast <i>(see Section in this Title)</i>	C	C
Boarding House	N €	N €

<sup>3</sup>Ordinance No. 03-46, dated 10/30/03

<sup>4</sup> Ordinance No. 01-17, dated 2/15/01

	GC	CBD
Dwellings meeting the requirements of the R-M-30 Zone existing only, no new or conversion to a greater number of residential units. Any permitted modifications shall comply with the R-M-7 Zone standards.	P	P
Single-Family	P	P
Two-Family	P	P
Three-Family	P	P
Four-Family	P	P
Multi-Family	P	P
Group	€	€
Fraternity or Sorority House	€	€
Homeless Shelter	N €	N €
Hotel; Motels	P	P
Multiple Family Dwellings, part of a commercial development dwellings may be stand alone, not connected to or part of a commercial building, as long as it is integrated into the overall project, subject to: A. Project area at least 40 acres B. Development Agreement to establish landscaping, architectural and usable recreation area standards C. A maximum of 30% residential development within project area D. R-M-30 Zone standards E. At least 50% of the residential units shall be recorded and constructed in a manner to allow for home ownership	C	C
Nursing Home	P	N
Protective Housing Facility	P	P N
Recreational Coach Park; Mobile Home	€	--
Residential Facility for Elderly Persons (see Chapter in this Title)	P	P
Residential Facility for Persons with a Disability (see Chapter in this Title)	P	P
Single or Multiple Family Dwellings located in the same building and located above, behind, or beneath a principal commercial use	C	C
Transitional Housing Facility	C	N
7. Processing and Manufacturing: Baking, Ice Cream Making, and/or Candy Making	P	P
Bookbinding	P	P
Knitting Mill	€	=
laboratories	P	€
Machine Shop	P	=
Manufacturing, compounding, Assembling and woodworking of articles in small totally enclosed woodworking shops of not more than five employees	€	=
Micro Breweries	P	€

	GC	CBD
<del>Mobile Lunch Agency</del>	<del>P</del>	<del>P</del>
<del>Monument Works</del>	<del>P</del>	<del>=</del>
<del>Motion Picture Studio</del>	<del>E</del>	<del>E</del>
<del>Plastic Molding Injection of Products Parts of No More than Six Pounds</del>	<del>E</del>	<del>=</del>
<del>Printing - Convenience for drop-in customers</del>	<del>P</del>	<del>P</del>
<del>Publishing and contract printing</del>	<del>P</del>	<del>P</del>
<del>Upholstering, including mattress manufacture, rebuilding or renovating</del>	<del>P</del>	<del>E</del>
<del>Weaving</del>	<del>P</del>	<del>E</del>
<del>Welding Shop</del>	<del>P</del>	<del>=</del>
<del>8. Public and Quasi-Public:</del> <b>4. PUBLIC AND QUASI-PUBLIC:</b>	<del>P</del>	<del>P C</del>
<del>Churches; Religious Institution</del>	<del>P</del>	<del>P C</del>
<del>College, private or public</del>	<del>C</del>	<del>C</del>
<del>Educational Institution</del>	<del>C</del>	<del>C</del>
<del>Essential Service Facilities</del>	<del>C</del>	<del>C</del>
<del>Parks, Golf Courses; Swimming Pools and Other Recreation Areas</del>	<del>P</del>	<del>P</del>
<del>Golf Courses; Swimming Pools and Other Recreation Areas</del>	<del>P</del>	<del>N</del>
<del>Private Schools (education, art, dance, dramatics)</del>	<del>E</del>	<del>E</del>
<del>Public Buildings</del>	<del>P</del>	<del>P</del>
<del>Public Utility Installations</del>	<del>P</del>	<del>C</del>
<del>Radio/Television transmitting towers</del>	<del>E</del>	<del>E</del>
<del>School, Charter</del>	<del>P</del>	<del>C</del>
<del>School, Private</del>	<del>C</del>	<del>C</del>
<del>School, Public</del>	<del>P</del>	<del>C</del>
<del>School, Trade or Vocational</del>	<del>C</del>	<del>C</del>
<del>University, Private or Public</del>	<del>C</del>	<del>C</del>
<b>5. RECREATION AND ENTERTAINMENT:</b>		
<del>Art Gallery; Art Museum</del>	<del>P</del>	<del>P</del>
<del>Archery Shop and/or Range, if conducted in enclosed building</del> <del>conducted within enclosed building</del>	<del>P</del>	<del>P</del>
<del>Athletic Club; Health Club; Athletic Goods Store; Spa Fitness Center; Sports Courts</del>	<del>P</del>	<del>N</del>
<del>Bicycle Shop</del>	<del>P</del>	<del>P</del>

	GC	CBD
Bowling Alley; <del>Boxing Arena</del>	P	€ N
<del>Campground</del>	P	-
<del>Dance Hall, Dancing</del>	P	P
<i>Dance Studio</i>	P	N
Gymnasium	P	P N
<i>Martial Arts Studio; Karate Studio</i>	P	N
Miniature Golf Course, <del>Commercial</del>	P	-N
Night Club / Social Club; Billiards or Pool Hall	€	€
<del>Private Nonprofit Locker club</del>	€	€
Recreation Center; <del>Commercial</del>	P	P
<del>Recreation Vehicles Rental-Lease, Sales and Service Outdoor</del>	P	€
<del>Recreation Vehicles Rental, Sales and Service (indoor)</del>	P	P
<i>Sexually-Oriented Business</i> <i>(see Chapter in this Title)</i>	N	N
<i>Social Club; Billiards or Pool Hall</i>	C	C
Swimming Pool; <del>Commercial</del> ; Skating Rink, <del>Commercial</del>	P	€ N
<i>Skating Rink</i>	P	C
Theater, indoor	P	P
<b>6. SALES AND RELATED SERVICES:</b>		
<del>Air conditioning; Ventilating Equipment, Sales/Repair</del>	P	P
<del>Art Needlework Shops</del>	P	P
Appliance and Furniture Store	P	P
Art Shop and/or Art Supply	P	P
<del>Awning Sales/Repair</del>	P	P
Bakery; <del>Retail Sales</del> <i>Candy Making; Confectionery; Nut Shop</i>	P	P
<del>Beer Outlet, Class A, Class B</del>	€	€
Bookstore	P	P
Building Material/ <del>Hardware Sales Enclosed</del> <i>conducted within enclosed building</i>	P	€ N
<del>Building Material sales yard with sale of rock, sand, gravel and the like as an incidental part of the main business, but excluding concrete mixing, except as such concrete mixing is necessary in preparation and manufacture of any products specified in this section.</del>	P	€

	GC	CBD
<del>Café, Cafeteria, Catering Establishment</del>	P	P
<del>Candy, Confectionery, Nut Shop</del>	P	P
<del>Carbonated Water Sales</del>	P	P
<del>China and/or Silver Shop</del>	P	P
<del>Clothing Store</del>	P	P
<del>Copy Center; Printing; Publishing</del>	P	P
<del>Delicatessen</del>	P	P
<del>Department Store</del>	P	P
<del>Drapery Store</del>	P	P
<del>Drive-ins; Refreshment Stand; Eating and/or Drinking Place</del>	P	P
<del>Drugstore</del>	P	P
<del>Dry Goods Store</del>	P	P
<del>Electrical Heating appliances and Fixtures, Sales/Repair/Service Five/Ten Cent Store, Notions</del>	P	P
<del>Floor Coverings Sales Stores</del>	P	P
<del>Fast Food establishment with drive-in or drive-up window</del>	P	N
<del>Fast Food establishment without drive-in or drive-up window</del>	P	P
<del>Florist Shop</del>	P	P
<del>Fountain Equipment Supply</del>	P	P
<del>Fur Sales, Storage, Repair</del>	P	P
<del>Furniture Sales, and/or Repair, with manufacturing, Compounding Assembling, and Woodworking of furniture or other wood products, to be sold on or off-site, in a small totally enclosed woodworking Shop of not more than five employees</del>	P	E
<del>Gift Shop; Hobby or Crafts Shop</del>	P	P
<del>Greenhouse; Nursery; Plant Materials; Soil-lawn services (see Special Provisions of this Chapter)</del>	P	E N
<del>Grocery Store; Health Food Store; Meat Sales</del>	P	P
<del>Gunsmith</del>	P	P
<del>Home Improvement &amp; Garden Store (see Special Provisions of this Chapter)</del>	P	N
<del>Hardware Store, not including sale of powered vehicles using motor greater than one (1) horse power and not including sale of lumber</del>	P	P
<del>Hardware store, including sale of lumber, providing all lumber storage is in completely enclosed building</del>	P	E
<del>Health Food Store</del>	P	P

	GC	CBD
Hobby and/or Craft Shop; Gift Shop	P	P
Hospital Supplies	P	P
Ice Cream Shop	P	P
Ice sales	P	P
Ice Vendor Units and/or reach-in ice merchandise units, electric ice-maker; ice storage, not more than five (5) tons capacity	P	P
Insulation sales	P	P
Jewelry stores	P	P
Laundry, Automatic Self-help; Laundry Agency	P	P
Leather Goods; Luggage Sales	P	P
Linen Shop	P	P
Liquor and Beer Sales; Places for the Drinking of Liquor or Beer	E	E
Lumber Yard	P	E
Military Store (surplus)	P	P
Milk Distributing Station; Sale of Dairy Products, excluding Processing/Bottling	P	P
Mail Service; Private Postal Service	P	P
Monument Sales; Retail	P	P N
Music and/or Movie Store	P	P
News Stand; Magazine Shop; Book Store	P	P
Notions	P	P
Novelty Shop	P	P
Office Supply; Office Machines, sales and repair	P	P
Ornamental Iron, Sales Only	P	P
Package Agency	P	P
Painter/paint Store	P	P
Pawn Shop <i>shall not be located within 5,280 feet (one mile) of another pawn shop inside or outside the City jurisdictional boundaries. The distance shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each shop. One (1) pawn shop shall be allowed for every ten thousand (10,000) residents living in Brigham City. The total population figures shall be based on the U.S. Census Bureau's annual estimates</i>	P	N
Pet Shop; Pet Grooming	P	P N
Pharmacy; Drugstore	P	P
Photographer or Photography Shop, sales and service	P	P

	GC	CBD
Plumbing Shop	P	P
Popcorn and/or Nut Shop	P	P
Price-Point Retail Establishment <i>shall not be located within 5,280 feet (one mile) of another price-point retail establishment inside or outside the City jurisdictional boundaries. The distance shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each shop. One (1) price-point retail establishment shall be allowed for every ten thousand (10,000) residents living in Brigham City. The total population figures shall be based on the U.S. Census Bureau's annual estimates</i>	P	N
Radio and Television Sales and Repair	P	P
Radio and Television Station	P	P
Repair Services <i>(e.g. appliances, heating and air conditioning, plumbing)</i>	P	N
Restaurant; Café; Microbrewery; Eating Establishment <i>with or without on premise alcohol consumption sales</i>	P	P
Roofing Sales	P	P
Secondhand or Thrift Store Shop; Antiques, conducted within a building or Enclosure <i>conducted within enclosed building</i>	P	N P
Seed and/or Feed Store <i>conducted within enclosed building, no outside bins</i>	P	N
Sewing Machine Shop	P	P
Shopping Center <i>containing only permitted uses</i>	P	N
Specialty Retail Stores <i>(e.g. gift, hobby, craft, jewelry, interior decorating, antiques)</i>	P	P
Sporting Goods Store	P	P
State Liquor Store	⊖ P	⊖ P
Stationery and Greeting Card Sales	P	P
Tire Store Shop, Sales Only, sales and repair conducted within an enclosed building and no outside storage <i>conducted within an enclosed building and no outside storage</i>	P	P N
Tobacco Shop	P	P
Variety Store	P	P
Wallpaper Store	P	P
Wholesale Business	P	⊖



	GC	CBD
<b>7. SERVICE ACTIVITIES:</b>		
Animal Hospital, <i>small animals only</i> <i>provided all animals are maintained and kept within enclosed building</i>	€ P	N
<del>Baby Formula Service; Baby Diaper Service; Baby Diaper Service</del>	P	P
<del>Bank</del>	P	P
<del>Barber Shop</del>	P	P
<del>Beauty Shop</del>	P	P
<del>Blueprinting, Photostating, Duplicating</del>	P	P
<del>Business or Financial Services</del>	P	P
<del>Carpet and/or Rug cleaning</del>	P	P
<del>Costume Rental</del>	P	P
<del>Clinic, Dental or Medical</del>	P	N P
<del>Crisis Nursery</del>	C	C
<del>Day Care Commercial Center</del>	C	€ N
<del>Depository Institution</del> <del>(e.g. bank, credit union)</del>	P	P
<del>Dressmaking</del>	P	P
<del>Educational Institution</del>	€	€
<del>Educational Institution with Housing</del>	€	€
<del>Electric Appliances and/or Electronic Instruments Service</del>	P	P
<del>Employment Agency; or Employment Office</del>	P	P
<del>Fix-it Shop; Repair Shop, Household Items</del>	P	P
<del>Frozen Food Lockers</del>	P	P
<del>Grooming for Pets</del>	P	P
<del>Hospital</del>	P	N
<del>Interior Decorating Store</del>	P	P
<del>Janitorial Service</del>	P	P
<del>Kennel</del>	€	=
<del>Kennel; Conducted Entirely within a soundproof and air-conditioned building</del>	€	=
<del>Key and Lock Service</del>	P	N
<del>Laboratories, dental or medical</del>	P	P
<del>Laundry cleaning, automatic self-help</del>	P	N
<del>Laundry cleaning, drop off</del> <del>dry cleaning and/or pressing, on-site or off-site</del>	P	N

	GC	CBD
Lithographing, including Engraving, Photo Engraving, Printing	P	P
Medical/Dental Clinic, Laboratories	P	P
Mortuary; Funeral Home	P	€ N
Non-Depository Institution <i>shall not be located within 5,280 feet (one mile) of another non-depository institution inside or outside the City jurisdictional boundaries. The distance shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each institution. One (1) non-depository institution shall be allowed for every ten thousand (10,000) residents living in Brigham City. The total population figures shall be based on the U.S. Census Bureau's annual estimates</i>	P	N
<del>Office Building higher than three stories and/or 50 feet</del>	P	€
Office, Business or Professional	P	P
<del>Office Supply; Office Machines Sales, Repair</del>	P	P
Personal Services <i>(e.g. barber and beauty shop, tanning salon, tailor shop, shoe repair)</i>	P	P
<del>Pest Extermination Business</del>	P	€
Physical Therapy; Sports Therapy; Message Therapy	P	P
Reception Center <del>and/or Wedding Chapel</del> ; Social Hall	P	€ P
Rehabilitation/Treatment Facility	C	N
Rental Shops <i>no outside display or storage</i>	P	P
Rental Equipment <i>including moving equipment and vehicles, excluding truck-tractor or semi-trailer</i>	P	N
<del>Sheltered Workshop</del>	P	€
<del>Sign Painting Shop</del>	P	€
<del>Sports Therapy, Tanning Salon</del>	P	P
Surgical Center	P	N
<del>Tailor Shop</del>	P	P
Tattoo Establishment <i>including body art, body piercing, scarification, and branding</i>	N	N
Taxidermist	P	P N
<del>Towel and Linen Supply Service</del>	P	P
<del>Trade or Vocational School</del>	P	€
Travel Bureau	P	P
<del>Upholstery Shop</del>	P	€
<del>Veterinary</del>	€	=

	GC	CBD
12. Storage and Warehousing:	€	=
— Contractors' equipment storage yard or plant		
— Rental of equipment	P	€
— Storage Units	€	=
<b>8. TRANSPORTATION:</b>		
Bus Terminals Stops	P	P
Drive-it Yourself Agency	P	€
Express Office	P	P
Freighting, Trucking Yard or Terminal Freight Transportation Service	€ N	€ N
Park and Ride Facilities	P	N
Taxi Stand Hub	P N	P N
Taxi Service	P	P
Terminal, Parking and Maintenance Facilities	€	=
Towing Service	N	N
Transfer Company	P N	P N
Truck Stop and Service Facilities	P N	P N
<b>29.13.030. Area, Width, Frontage, Yard and Coverage Regulations.</b> <sup>5</sup>		
— Regulations as may be required by conditional use permit, design review, or by planned unit development approval, except that no commercial building shall be located closer than fifteen (15) feet (unless in compliance with exception noted below), to any residential district boundary line or to any public right-of-way that continues as frontage into a residential district within the same City block, not including Main Street and West Forest Street.	A	A
— Except as may be allowed through planned unit development approval buildings and structures may cover no more percentage of the lot than	50	50
— Exception: A commercial building that meets all of the following requirements:		
• Not greater than two thousand (2,000) square feet in area		
• Less than twenty (20) feet in height		
• Built with materials that are aesthetically compatible to a residential district		
• Located adjacent to residential lots rear or side yard		
• In the opinion of the Planning Commission does not adversely affect the residential district due to noise, odor or similar nuisances	€	€
<b>29.13.040. Height Regulations:</b>		
— The maximum height for all buildings and structures in districts regulated by this chapter shall be:		
— in feet —	75	75
— in number of stories	7	7

<sup>5</sup> Ordinance No. 04-32, dated 11/18/04.

	GC	CBD
<b>29.13.050. Special Provisions.</b>		
Any area outside of a building used for any activity other than off-street parking and loading shall be completely enclosed within a solid fence or wall of a height sufficient to completely screen such activity from the street or from adjoining parcels	A	A
All uses shall be free from objectionable noise, hazards, or nuisances	A	A
All uses shall be conducted from enclosed buildings except automobile service stations, automatic car wash, automobile and recreational coach or vehicle sales, lease, rental or repair, off-street parking and loading, plant material nurseries, outdoor restaurants, and commercial recreation, unless otherwise permitted by planned unit development or conditional use permit	A	A

**29.13.030. Area, Width, Frontage, Yard and Coverage Regulations.**

A. The area, width, frontage, and yard standards shall be regulated by design review or by planned unit development approval, except that no commercial building shall be located closer than fifteen (15) feet to any residential district boundary line or to any public right-of-way that continues as frontage into a residential district within the same City block, not including Main Street and West Forest Street, unless in compliance with the exception noted below through a conditional use permit.

Exception: A commercial building that meets all of the following requirements:

- Not greater than two thousand (2,000) square feet in area
- Less than twenty (20) feet in height
- Built with materials that are aesthetically compatible to a residential district
- Located adjacent to residential lots rear or side yard
- In the opinion of the Planning Commission does not adversely affect the residential district due to noise, odor or similar nuisances

B. The maximum building or structure coverage of a lot or parcel shall be fifty (50%) percent, unless otherwise permitted by planned unit development approval.

**29.13.040. Height Regulations.**

The maximum height for all buildings and structures shall be seventy-five (75) feet or seven (7) stories.

**29.13.050. Protection of Residential Property.**

A. Where a commercial development adjoins any residential zone or residential use, there shall be provided along the adjoining property line a six (6) foot solid masonry wall. A wall is not required along the adjoining property line in the required front yard setback. If a wall is installed along the property line in the required front yard setback shall comply with the height and location standards as referenced in the Regulations Governing Fences and Walls Section of this Title.

B. Where a multiple family residential development adjoins any single family residential use, there shall be provided along the adjoining property line a six (6) foot solid fence or masonry wall (chain link fencing with slats is not considered a solid fence or wall for purposes of this Section). A fence or wall is not required along the adjoining property line in the required front yard setback. If a fence or wall is installed along the property line in the required front yard setback it shall comply with the height and location standards as referenced in the Regulations Governing Fences and Walls Section of this Title.

**29.13.060. Landscaping.**

Landscaped areas are used to frame and soften structures, to define site functions, to enhance the quality of the environment, and to screen undesirable views. Landscaping should complement the buildings and surroundings to make a positive contribution to the aesthetics and function of both the specific site and the area. The following characteristics will need to be addressed in the design of each commercial project:

A. Landscaped areas should generally incorporate planting utilizing a three tiered system; 1) grasses and groundcover; 2) shrubs and vines; and 3) trees. Landscape design and construction should emphasize drought tolerant landscaping where possible.

B. All areas not covered by approved buildings and structures or required parking, must be completely landscaped and maintained using an automatic irrigation system. All areas not covered by an approved building, required parking, trees or shrubs shall be covered by grass or another acceptable ground cover such as bark, wood chips, or decorative rocks. Dirt, weeds and similar materials are not considered acceptable ground cover.

- C. *All required landscaping must be properly maintained.*
- D. *Plant materials will be placed in a manner that avoids interference with project lighting or restriction of access to emergency apparatus such as fire hydrants or fire alarm boxes. Landscaping should preserve the clear view area defined in this Title.*
- E. *Planting areas will be protected from vehicular and pedestrian encroachment by raised planting surfaces, bumper guards, or the use of curbs.*
- F. *Plants in containers or planter boxes are encouraged for areas adjacent to store fronts along walkways provided that the containers or planter boxes do not obstruct pedestrian or vehicular circulation.*
- G. *Vines and climbing plants integrated upon buildings, trellises, and perimeter walls are not only attractive, but also help discourage graffiti and are encouraged in appropriate areas.*
- H. *Existing mature trees, riparian corridors, and view sheds should be preserved and incorporated into the project landscaping.*
- I. *Storm drainage facilities should be incorporated into the landscape design and appear to be a part of the overall project.*
- J. *No species of trees or large shrub should be planted under overhead lines or over underground utilities if its natural growth may interfere with the installation or maintenance of any public or private utility.*
- K. *A complete landscaping plan is considered part of an application for Site Plan review and shall include the types and sizes of all planting materials. A minimum of one evergreen tree no less than eight (8) feet in height or deciduous tree with no less than two (2) inch caliper for every two hundred (200) square feet of land not covered by an approved building or required parking. Each plan should include a variety of planting materials and a mixture of evergreen and deciduous trees.*
- L. *Refer to 1100 South Corridor Design Guidelines, West Forest Street Design Guidelines and West Forest Street Corridor Overlay, and the Historic Downtown Design Guidelines for specific landscape requirements.*

**29.13.070. Special Provisions.**

- A. *Any area outside of a building used for any activity other than off-street parking and loading shall be completely enclosed within a solid fence or wall of a height sufficient to completely screen such activity from the street or from adjoining parcels (chain link fencing with slats is not considered a solid fence or wall for purposes of this Section).*
- B. *All uses shall be conducted from enclosed buildings except automobile fuel or service stations, carwashes, automobile and recreational vehicle sales, rental or lease, off-street parking and loading, plant material nurseries, outdoor restaurants, and commercial recreation, unless otherwise permitted by planned unit development or conditional use permit.*
- C. *All uses shall be free from objectionable noise, hazards, or nuisances.*
- D. *Properties located within the 1100 South Corridor, West Forest Street, and Historic Downtown areas of the community are subject to established Design Guidelines.*

**29.13.080. Uses Not Listed.**

The Zoning Administrator shall have the authority to identify and categorize unlisted uses within the listed permitted or conditional uses of this Chapter, based on a finding of substantial similarity of character, origin, and impact, etc., to a listed use, and when so categorized such use shall thereafter be recognized and treated the same as a listed use.